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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,308

09/09/2004

Phillip Kent Niccum

04-10

5307

32583 7590 09/17/2009
KELLOGG BROWN & ROOT LLC
ATTN: Christian Heausler
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EXAMINER

BOYER, RANDY

ART UNIT

PAPER NUMBER

1797

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PHILLIP KENT NICCUM, IWAN HIRSAN CHAN
RICHARD BRIAN MILLER and STEVEN ARTHUR TRAGESSER

Application No. 10/711,308
Technology Center: 1700

Mailed: September 17, 2009

Before GLORIA HENDERSON, *Review Team Paralegal*
HENDERSON, *Review Team Paralegal*.

This application was received electronically at the Board of Patent Appeals and Interferences on September 9, 2009. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below.

EXAMINER'S ANSWER/GROUNDS OF REJECTION

The Examiner's Answer mailed May 8, 2009 is defective, since it states under the Grounds of Rejection that Claims 1, 5, 6, 21-25, 26 and 27-22 are rejected under 35 U.S.C. § 103(a)..... An Amendment filed on April 24, 2008 canceled Claim 26. Appropriate correction is required, for clarification of the record.

CONCLUSION

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner:

1) vacate the Examiner's Answer mailed May 8, 2009, and mail a Supplemental Examiner's Answer with the correct information for the claims under the Grounds of Rejection; and

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/GJH/

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